

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

CAYUGA NATION
AND JOHN DOES 1-20,

Plaintiffs,

v.

No.: 5:14-cv-01317-DNH-ATB

HOWARD TANNER, VILLAGE
OF UNION SPRINGS CODE ENFORCEMENT
OFFICER, IN HIS OFFICIAL CAPACITY;
EDWARD TRUFANT, VILLAGE OF UNION
SPRINGS MAYOR, IN HIS OFFICIAL
CAPACITY; CHAD HAYDEN, VILLAGE OF
UNION SPRINGS ATTORNEY, IN HIS
OFFICIAL CAPACITY; BOARD OF
TRUSTEES OF THE VILLAGE OF UNION
SPRINGS, NEW YORK; AND THE VILLAGE
OF UNION SPRINGS, NEW YORK

Defendants.

STIPULATION AND ORDER

WHEREAS, the parties agreed to a Stipulation and Order on August 16, 2016 (ECF No. 74), whose recitals are incorporated by reference herein; and

WHEREAS, the Court “so-ordered” that Stipulation and Order on August 16, 2016 (ECF No. 75); and

WHEREAS, the Stipulation and Order required the parties to report back to the Court within 60 days; and

WHEREAS, the parties are continuing to explore ways to resolve their dispute without further litigation; and

WHEREAS, in entering into this stipulation, neither Plaintiffs nor Defendants intend to compromise or waive any aspect of their respective positions concerning the merits of this case or the appropriateness of preliminary injunctive relief; therefore, it is

STIPULATED AND AGREED, between the parties that:

1. Pending a ruling on the merits of Plaintiffs' motion for a preliminary injunction, the temporary restraining order entered by the Court on October 29, 2014 (ECF No. 7) shall remain in effect by Defendants' consent.
2. Further proceedings in this action, including proceedings on Plaintiffs' motion for a preliminary injunction, shall remain stayed to permit the parties to continue to explore ways to resolve this dispute without further litigation.
3. The parties shall report back to the Court within 30 days of the date of this stipulation.

Dated: October 17, 2016

Dated: October 17, 2016

On behalf of Plaintiffs:

On behalf of Defendants:

By: /s/ David W. DeBruin

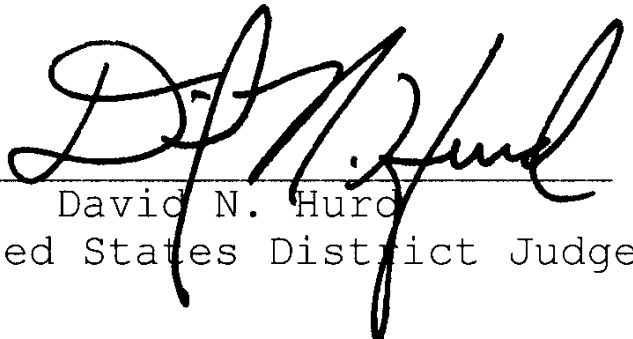
David W. DeBruin (*pro hac vice*)
JENNER & BLOCK LLP
1099 New York Ave. NW Suite 900
Washington, DC 20001

By: /s/ Cornelius D. Murray

Cornelius D. Murray (Bar No. 505329)
O'CONNELL AND ARONOWITZ
54 State Street
Albany, New York 12207

IT IS SO ORDERED

Dated: October 18, 2016
Utica, New York



David N. Hurd
United States District Judge

CERTIFICATE OF SERVICE

I certify that, on October 17, 2016, I caused the foregoing Stipulation and Order to be served on all counsel of record registered with the Court's CM/ECF system.

/s/ David W. DeBruin